

REMARKS

Applicants respectfully request reconsideration of the present application in view of the foregoing amendments and in view of the reasons that follow.

As a preliminary matter, Applicants note the Office Action's acknowledgement of the election of claims 6-11 in the reply filed on August 17, 2005, consideration of the Information Disclosure Statement submitted on December 23, 2003 and approval of the drawings.

Claim 11 stands rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 6,246,843 to Nanataki et al. (hereinafter "Nanataki"). Claims 6-10 have been allowed.

By this amendment, claims 7-9 have been amended for clarity. Claim 11 has been amended to further define the subject matter Applicants regard as the invention as discussed in greater detail below. New claims 12-17 have been added and claims 6 and 10 remain unchanged.

This amendment changes, adds, and/or deletes claims in this application. A detailed listing of all claims that are, or were, in the application, irrespective of whether the claim(s) remain under examination in the application, is presented, with an appropriate defined status identifier. Thus, claims 6-17 are presently pending in this application for consideration.

Applicants respectfully submit that amended independent claim 11, as well as new claims 12-17 are patentably distinguishable over the cited reference as required by § 102. Applicants further submit that the cited reference fails to disclose Applicants' claimed image forming apparatus and fixing apparatus with the arrangement of: ***a first switching element connected to the resonance circuit and an oscillator that outputs on/off signals to the first switching element through the second switching element.*** Accordingly, each of the claims is patentably distinguishable over the cited reference. This distinction will be further described below.

THE CLAIMS DISTINGUISH OVER THE CITED REFERENCE

Claim 11 stands rejected under 35 U.S.C. § 102(b) as being anticipated by Nanataki. Applicants have amended independent claim 11 to incorporate an analogous arrangement as that recited in allowed independent claim 6. In particular, Applicants have amended independent claim 11, in line with the allowable subject matter identified on page 3 of the outstanding Office Action, to include the first switching element in communication with the resonance circuit and the oscillator in communication with the second switching element. New independent claim 16 also includes this arrangement.

Applicants respectfully submit that Nanataki fails to disclose the claimed arrangement of *a first switching element connected to the resonance circuit and an oscillator that outputs on/off signals to the first switching element through the second switching element*. As such, Nanataki cannot be said to anticipate or render obvious the subject matter recited in independent claims 11 and 16. Thus, these claims are allowable. Moreover, since independent claims 11 and 16 are allowable, claims dependent therefrom, namely claims 12-15 and 17 are allowable by virtue of their direct or indirect dependence from allowable independent claims 11 and 16 and for containing other patentable features.

Accordingly, this application is in condition for allowance and Applicants respectfully request early notice to that effect.

The Examiner is invited to contact the undersigned by telephone if it is felt that a telephone interview would advance the prosecution of the present application.


The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 19-0741. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 19-0741. If any extensions of time are needed for timely acceptance of papers submitted herewith, Applicants hereby petition for such extension under 37 C.F.R. §1.136 and authorize payment of any such extensions fees to Deposit Account No. 19-0741.

Respectfully submitted,

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